

The Communicator

Texas State Board of Examiners of Marriage and Family Therapists

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Comments from the Chair: Marvarene Oliver, Ed.D, LMFT, LPC

Many changes are coming in the composition of the board. The terms of both George Pulliam and Ellen Harrison expired in February 2001 and Carl Strain resigned earlier Thus, at least this year. three new appointments to the board are expected soon. In addition, Waymon Hinson has served on the board to fill the unexpired term of Anna Beth Benningfield. That term also expired in February. George, Ellen and Waymon are continuing to fill their positions until Governor names new members.

As you know, the board adopted new rules. There were substantive changes in several areas, as well as changes to clarify and make the language consistent throughout. You can access the rules on the website at:

www.tdh.state.tx.us/hcqs/plc/mft.html

What you may now know is that a report on Texas Department of Health Regulatory Programs was issued in December 2000.

This report was a result of a legislative mandate, and was done by the Texas Health and Human Services Commission. The results of the study done by the Commission are too lengthy to include here; however, there are some key points that may interest you. First, there are eleven independent boards that operate with connection the Professional and Licensing and Certification Division of the Texas Department of Health. These are fee-funded boards; that is, they are funded by fees collected from licensees. The Chairs of these boards were interviewed and a number of problem areas were identified. One identified concern is budgeting. boards have no budgeting authority and little input to the Texas Department of Health budaet settina process. Another concern has to do with automation and computer and telecommunications The current technology. hardware and software are outmoded. Finally, executive directors and other staff salaries are considered by a number of US to be inadequate to maintain competent staff.

One recommendation made by the Commission was that the mental health boards be moved to the Health Professions Council. That will not happen at this time. Another recommendation was that the Chairs of the independent boards form a council that would meet regularly with representatives from TDH to address increase concerns and communications. This has happened. The most recent meeting of the Council, held June, concerned the budget process. While each chair did complete worksheets that were turned in at the end of the day, much of what was included were figures provided by TDH that cannot be changed. Salaries, indirect costs, our of information portion systems and general counsel expenses are set. We were allowed to reauest increase in salary for our Executive Directors and for travel expenses. I requested but whether increases will be provided is not vet known. The LPC Board reduced their travel request (their previous travel budgets were larger than ours) so that we could increase ours. Many thanks to that Board!

George Pulliam has previously written in this

column concerning the way your fees, and those of all licensing boards, are used. In fiscal year 2000, your fees totaled \$246,935.00. Third reimbursement partv revenues were \$25,220.00. thus \$272,155.00 was Total program generated. costs for fiscal year 2000 were \$181,396.00. That is a very large difference. During fiscal year 2000, the LMFT board did not have enough money allocated to have the final board meeting of the year. Fortunately, the Social Work Board had available funds that allowed us to meet and conduct our business. The problem is not that we don't generate enough money. The problem is also not that we spend too much money, this board is very frugal, and keeps committee and board meetings tightly scheduled and nearly always meets in Austin to keep down. The expenses Legislative Budget Board decides how much money comes back to TDH and the Division and the Division then budgets for all boards.

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TSBEMFT Members

Marvarene Oliver, Ed.D., LMFT Chair

Waymon R. Hinson, Ph.D., LMFT Vice-Chair

George Pulliam, MSSW, LMFT Professional Member

Brenda VanAmburgh, Ph.D., LMFT Professional Member

Jackie M. Weimer, M.S., LMFT Professional Member

JoeAnn Clack, M.B.E. Public Member

> Ellen Harrison Public Member

Bishop William H. Watson Public Member

Vacant Public Position

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Comments concerning the content of this newsletter or suggestions for articles to be included in future issues should be forwarded to the board office and marked to the attention of Georgia Norman, Editor.

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The additional \$65,539.00 in your licensure fees alone stayed in the General Fund of the State of Texas. We cannot save for future needs or use that money in other ways. We are also prohibited from reducing fees below a certain amount.

That's the bad news. The good news is that the board continues to function well. Committees are working hard, including a relatively new committee that considerina alternative methods of therapy. George Pulliam, Ellen Harrison and Waymon Hinson are still serving "above and beyond" their appointed terms. mentioned earlier, the new rules were completed and adopted.

On a personal note, I will miss George and Ellen. I have learned a lot from both of them. I already miss Carl. Those of you who have never had the opportunity to work with George have missed a rare treat. His sense of humor and willingness (eagerness?) to speak his

mind are wonderful. Ellen is always prepared and practical. She has an ability to raise issues and point out potential problems in a way that stimulates thoughtful consideration. Carl was always ready to play "devil's advocate" and demanded that we examine why we do what we do. I don't know vet whether I'll have to miss Waymon, as well. He is thoughtful. calm. collaborative and very creative in problem solving.

To adapt Garrison Keilor, have fun, do good work, and hope for cooler weather.

Rule Changes Georgia Norman

During 1999 and 2000, the Rules Committee diligently reviewed the rules and made changes. Some of the changes were to delete language in the rules no longer needed, to update existing rules to reflect changes in the profession amend and to rules according to changes pursuant to the codification of the Licensed Marriage and Family Therapist Act in the Occupations Code, Chapter 502. The Board published a notice of intention to review the rules in the Texas Register and no comments were received. Some of the changes affect interns. A graduate intern may now for the apply to sit examination prior to graduation. However, an associate's license will not be issued until the intern

successfully completes the examination and graduates from the university. After requirements these have been completed, the individual may begin a 2-year work experience program and complete at least 3000 hours of clinical services to individuals. couples families, of which at least 1500 hours must be direct clinical services, 750 hours to couples or families. The 200-hour supervision requirement remains unchanged except that 100 of the 200 hours required may be earned during the graduate program. Changes to the code of ethics deal with new language and issues dealing with sexual contact. Other changes deal with the process and renewal The continuing education. new board rules and law are available on our website at: www.tdh.state.tx.us/hcqs/plc /mft.html

Ethics: Your LMFT Board, Process, and Decisions Waymon Hinson, Ph.D

Ethical issues continue to be significant source οf concern for all of US. AAMFT's revised code of ethics has been released and the new rules of the Texas State Board of Examiners of Marriage and Family Therapists have been adopted. The latter includes a number of changes, some which clarify the rule and some which are changes in the rules.

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Why would the board feel strongly enough about ethical to increase issues the requirement from three hours in ethics every three years to three hours annually? Answers among board members may vary, but those of us on the Ethics Committee, the concerns are obvious. In Fiscal year 2000, 42 complaints were received, four cease and desist letters were written, and warning letters were written. While the numbers are still accumulating for fiscal year 2001, I have no reason to believe that things will be much different. Some cases will look very familiar to those adjudicated in 2000, while others will be more compelling.

The Ethics Committee at its last meeting, for instance, deliberated over eleven complaints involvina myriad of issues, including unethical relationships with clients, allegations of sexual misconduct, testing protocol and procedure, confidentiality, and meeting one's own needs at the expense of clients, to list a few. The LMFT Board web page lists persons, dispositions in recent years. A national data bank has that information received from the State of Texas.

The procedures as published in the board rules allow for the board to dispose of cases

in a number of ways. The board can deny, suspend, probate, revoke, reprimand the licensee, impose administrative penalty, find the complaint unsubstantiated. The licensee, then, is informed of her/his rights under the law. The person can accept the board's decision or request an informal settlement conference, a formal hearing, or both.

The entire process can take months to complete dependent upon the nature of the allegation, the investigative process, board's decision, and the licensee's decision to accept or appeal the decision. While the process is indeed time consuming and at times rather arduous for the Ethics Committee and board members, the process allows all voices to be heard, the complainant, witnesses, the licensee, and those of us who hold as inviolable the obligation to protect the public.

Licensure Board vs. Professional Association Bobby D. Schmidt, M.Ed. Executive Director

Many days I am given the opportunity (or challenge) to explain to licensees and/or members of the general public the difference between the licensure board and the professional association that deals within the realm of marriage and family therapy. While it seems as if the two entities could perform the

same function, there are unique qualities to each.

The Texas Legislature through a statute or law establishes а licensure board. In this case it is known as the Marriage and Therapist Act. Family Originally, this law was found in the Texas Civil Statutes. Article 4512c-1. This law went through a process "codification" known as during the 76th Legislative session and is now found in Occupations Code. the Section 502. The Texas State Board of Examiners of Marriage and Family Therapists (board) is a ninemember board consisting of five professional members and four members of the public appointed by Governor with the consent of the Senate. The primary function of the board is to protect the citizens of Texas. The board accomplishes this mission by determining the qualifications and fitness of a license applicant and by adopting a code of ethics for licensure as "the granting of license to practice a profession". The board grants a license to practice regulates that and then practice through a set of administrative rules.

The marriage and family therapy rules are found at Title 22, Texas Administrative Code, Chapter 801.

A professional association, on the other hand, is an advocate or voice of a given profession. Webster defines

association as "an organization of persons having a common interest", "a society of colleagues". An association uses the strength of its participation to secure character of the the occupation. The Texas Association of Marriage and Family Therapists, (TAMFT), has just that as its mission statement. "the mission of TAMFT is to use the power of the TAMFT organization to protect the integrity of the professional practice in the marketplace". association. TAMFT. achieves this mission by providing leadership professional developmental opportunities, by facilitating local and statewide networking and by being a voice in the Texas Legislature and governmental affairs, as well as many other activities.

To summarize, there is a distinct difference between a licensing board and professional association. The licensing board licenses qualified individuals and them regulate in an administrative arena. The professional association advocates for a profession in the marketplace, as well as with elected government officials.

As a licensed marriage and family therapist in the State of Texas, it may serve you well to keep in mind the different functions performed by your licensing board and your professional association. If you find yourself in a quandary, ask

yourself the question, "Am I being regulated or represented?"

Next Board Meeting: October 21-22, 2001 in Austin



The marriage & family therapist examination will no longer be a written exam but will be available on computer various Prometric Tompson Learning Centers. The test will be offered 3 times a year beginning Fall 2001. The first test period will be September 17, 2001 thru October 14, 2001. Applicants may test at any Prometric Learning Center during this 4-week window of time. As a result, the exam fee will be increased to \$220.00 and must be paid directly to the Professional Examination Services prior to testina. There is additional \$75.00 fee payable to the Prometric Tompson Learning Centers for the use of the computers. Candidates who wish to sit for the examination must submit their application to the board office 90 days before the test in order to be The examination eligible. application is available on our website. Those individuals who currently hold an associates license but have never been tested. must submit documentation of the clinical experience and supervision prior to testing.

The test results of the examination will be mailed out after each exam cycle.

Continuing Education Georgia Norman

You probably have heard that there are changes to the continuing education requirement. Effective April 11, 2001, 3 hours of ethics will be required every year. But in order to give everyone time to get the ethics hours, you will not be required to show the hours until next year when you renew your license.

The board will no longer accept teaching a college or university graduate course in marriage and family therapy as an approved continuing education activity.

You will also be able to receive up to 6 hours of credit for completing correspondence courses, satellite or distance learning and audio/video courses. Ethics may now be used this way.

Frequently Asked Ouestions?????????????

Here is a compilation of questions we frequently get over the phone.

How many hours of continuing education (CE) do we need?

You need 15 hours each year and effective next year, you

will need to show 3 hours of ethics

What is my continuing education period?

Your continuing education period will begin on the 1st day of the month following your birth month and ends the last day of your birth month.

Do I have to send certificates of continuing education?

No, you will not need to send certificates unless you have been audited.

Can you tell me what CE I attended this past year?

No, we do not track individual continuing education hours. You will need to keep a file of your continuing education in case you are audited.

I'm considering going on inactive status, what do I do?

You will need to send a letter to the board requesting inactive status and submit a fee of \$75.00. Once approved, you will be placed on inactive status for 3 years. To continue the inactive status, you will need to submit another letter and fee to the board.

Also, Barbara asked me to remind you to please remember to sign and answer the questions on the renewal forms. She has been receiving a number of renewal forms without this

information and has to send deficiency letters.

Frequently Requested Numbers & Addresses

American Association of Marriage & Family Therapists 1133 15th Street, Suite 300 Washington, DC 20005 202/452—0109

Texas Association of Marriage & Family Therapists PO Box 140647 Austin, Texas 78714-0647

512/454-8626

Texas State Board of Professional Counselors 1100 West 49th Street Austin, Texas 78756-3183 512/864-6658

Texas State Board of Social Worker Examiners 1100 West 49th Street Austin, Texas 78756-3183 512/719-3521

Texas Commission on Alcohol & Drug Abuse

9001 North IH 35, Suite 105 Austin, Texas 78756 512-349-6600

Texas State Board of Medical Examiners 333 Guadalupe Street Tower III, Suite 610 Austin, Texas 78701 512-305-7010

Texas State Board of Examiners of Psychologists 333 Guadalupe, Suite 2-450 Austin, Texas 78701 512-305-7700

Closed Complaints by Fiscal Year and Resolution Type (Fiscal Year 1998 to Present)

Resolution Type	All Complaints	FY 1998	FY 1999	FY 2000	FY 2001 (thru June)
Withdrawn	4 (3%)	0	3 (11%)	1 (2%)	0
Non-Substantiated	34 (27%)	12 (32%)	2 (7%)	14 (39%)	6 (26%)
No Violation	33 (26%)	15 (38%)	5 (19%)	9 (24%)	4 (17%)
Warning Letter	10 (8%)	0	4 (15%)	3 (8%)	3 (14%)
Cease & Desist	10 (8%)	3 (8%)	3 (11%)	4 (11%)	0
Disciplinary Action	11 (9%)	1 (2%)	3 (11%)	0	7 (30%)
Criminal Referral	2 (2%)	1 (2%)	0	0	1(4%)
Non-Jurisdictional	22 (17%)	7 (18%)	7 (26%)	6 (16%)	2 (9%)
Total	126	39	27	37	23

Examination Statistics for AMFTRB Examination By Graduate Program May 1998 – May 2001

Graduate Program	# of examinee	s # pass	% pass
Abilene Christian University	19	17	89
Amberton University	5	3	60
Azusa Pacific University	9	2	22
Dallas Baptist University	2	1	50
Fuller Theological Seminary	3	3	100
Hardin-Simmons University	3	1	33
Our Lady of the Lake University	9	6	67
Prairie View A&M University	3	1	33
Sam Houston State University	2	2	100
Southwest Texas State University	2	1	50
St Mary's University	22	18	82
SW Baptist Theological Seminary	3	1	33
Tarleton State University	3	3	100
Texas A&M University-Corpus Chris	sti 4	2	50
Texas Tech University	9	9	100
Texas Woman's University	24	23	96
University of Houston-Clear Lake	39	37	95
Total	161	130	81

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